

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BERNADETTE HIGHTOWER, LATERSHIA  
JONES, and GEORGE DEAN, individually,  
and on behalf of all others similarly situated,

Plaintiffs,

vs.

RECEIVABLES PERFORMANCE  
MANAGEMENT, LLC,

Defendant.

CASE NO.: 2:22-cv-01683-RSM

**STIPULATED MOTION AND ORDER  
FOR LEAVE TO FILE AMENDED  
COMPLAINT AND FOR EXTENSION  
OF TIME FOR DEFENDANT TO  
ANSWER COMPLAINT**

NOTE ON MOTION CALENDAR:  
April 28, 2023

**I. STIPULATED MOTION**

Pursuant to Local Civil Rules 7(d)(1), 7(j), 10(g), and 15, Plaintiffs BERNADETTE HIGHTOWER, LATERSHIA JONES and GEORGE DEAN, individually and on behalf of all others similarly situated ("Plaintiffs") and Defendant RECEIVABLES PERFORMANCE MANAGEMENT, LLC ("Defendant") hereby respectfully submit this stipulated motion for leave to file a Consolidated Amended Class Action Complaint and for an extension of time for Defendant to answer, move or otherwise respond to Plaintiffs' Consolidated Amended Class Action Complaint and, in support thereof, state as follows:

STIPULATED MOTION AND ORDER RE: LEAVE TO  
AMEND AND EXTENSION OF TIME - 1  
NO. 2:22-cv-01683-RSM

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1           1.       Following this Court's Orders granting: (i) Plaintiffs' motion to consolidate (ECF  
2 No. 12); and (ii) Plaintiffs' motion to appoint co-lead and liaison counsel (ECF No. 31),  
3 Plaintiffs filed their Consolidated Class Action Complaint on February 27, 2023. ECF No. 32.

4           2.       Defendant's current due date for responding to Plaintiffs' Consolidated Class  
5 Action Complaint is April 28, 2023. ECF No. 39.

6           3.       Plaintiffs seek to file a Consolidated Amended Class Action Complaint, a copy of  
7 which is annexed hereto as Exhibit A. The parties have met and conferred and, while Defendant  
8 opposes the merits of Plaintiffs' proposed Consolidated Amended Class Action Complaint and  
9 reserves the right to move to dismiss same, Defendant does not oppose Plaintiffs' request to file  
10 same pursuant to Fed. R. Civ. P. 15 and LCR 15.

11           4.       Subject to Court approval, the Parties stipulate and agree that Plaintiffs shall file  
12 the Consolidated Amended Class Action Complaint within seven (7) days of entry of an order on  
13 this stipulated motion.

14           5.       Additionally, the Parties have agreed to discuss the possibility of an early  
15 resolution, including the potential exchange of information to allow the Parties to evaluate the  
16 strengths and weaknesses of Plaintiffs' claims and Defendant's defenses, as well as the  
17 scheduling of a mediation before Hon. Wayne Andersen (Ret.). Given the mediator's  
18 availability, the Parties anticipate that the mediation will be scheduled on or around July 12,  
19 2023.

20           6.       As such, in light of the above and the Parties' agreement to discuss the possibility  
21 of an early resolution, subject to Court approval, the Parties stipulate and agree that Defendant  
22 shall have an extension of time up to and including July 28, 2023 to answer, move or otherwise  
23 respond to Plaintiffs' forthcoming Consolidated Amended Class Action Complaint.

24           WHEREFORE, the Parties respectfully request that this stipulated motion be granted and  
25 that: (i) Plaintiffs be granted leave to file a Consolidated Amended Class Action Complaint; and  
26

(ii) Defendant be granted an extension of time up to and including July 28, 2023 to answer, move or otherwise respond to Plaintiffs' Consolidated Amended Class Action Complaint.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD on this 28<sup>th</sup> day of April, 2023. The undersigned counsel certify that this stipulated motion contains 441 words, in compliance with the Local Civil Rules.

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**Attorneys for Defendant**

**ORDER**

The Parties' Stipulated Motion is GRANTED. It is so ORDERED:

Plaintiffs shall file the Consolidated Amended Class Action Complaint in the form attached to this Stipulated Motion as Exhibit A within seven (7) days of entry of this Order.

Defendant shall answer, move or otherwise respond to Plaintiffs' Consolidated Class Action Complaint on or before July 28, 2023.

DATED this 4<sup>th</sup> day of May, 2023.



RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE